

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

Jack D. McCullough)	
	,	
	Plaintiff(s),	
)	
v.)	Case No. 3:17-cv-50116
)	Magistrate Judge Iain D. Johnston
)	
Brion Hanley, et al.)	
	,	
	Defendant(s).	

JOINT INITIAL STATUS REPORT

The parties submit this joint initial status report in advance of the initial status hearing set for 7/27/2017.

All parties who have appeared shall join in the filing of this initial status report. An initial status report must still be filed even if filed unilaterally.

1. Nature of the Case Including Legal Issues, Factual Issues, and Affirmative Defenses.

For claims by or against only some parties, identify which.

Please see attached addendum.

2. Parties and Service

Identify each individual plaintiff:

Jack D. McCullough

Identify each individual defendant and the status of service. If more space is needed, attach additional pages to the end of this report.

Defendant	Date Served	Date Appeared	Answer Due or Date Answered
Brion Hanley	4/24/17	5/15/17	7/14/17
Daniel P. Smith	4/24/17	5/15/17	7/14/17
Todd Damsky	5/2/17	5/15/17	7/14/17
Larry Kot	5/11/17	5/15/17	7/14/17
City of Sycamore	4/19/17	5/11/17	6/14/17

For each defendant not served, describe the efforts to serve that defendant. If more space is needed, attach additional pages to the end of this report.

Defendant	Efforts to Serve
Daniel Hoffman	Attempted to serve - Defendant performing missionary work in Africa

List any potential party the defendant(s) may seek to add as a third-party defendant.

Third-Party Defendant	Basis of Liability
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3. Status of Settlement Discussions and the Potential for Settlement

The parties have not discussed settlement to date.

4. Identify any Parallel Cases (including but not limited to possible MDL litigation, underlying criminal proceedings, or related litigation).

Case Name	Case #	Court	Nature of Proceeding
People v. McCullough	11-CF-45	DeKalb Ct	Underlying criminal proceeding

See addendum

5. Identify all Pending or Anticipated Motions

Motion (including docket number if already filed)	Date Filed or Anticipated
Defendants' Motion to Dismiss (DeKalb Co., et al.)	6/5/17
Defendants' Motion to Dismiss (City of Sycamore, Zeigler)	6/14/17
Defendants' Motion to Dismiss & Motion to Stay (Seattle Def.)	7/17/17

6. Discovery

During the initial status hearing the Court will likely set a deadline for submitting a proposed case management order at a later date. To help guide that discussion, the parties shall provide their best estimates formed after reasonable investigation and inquiry of the amount and scope of discovery in response to the following questions:

The plaintiff(s) anticipate(s) taking about depositions of fact witnesses.

For claims involving medical conditions, the plaintiff has about ² treaters who are either (check one) ☐ all located in or near the Rockford/Chicago areas, or ☒ includes treaters located outside the Rockford and Chicago areas such as .

The plaintiff(s) (check one) ☒ anticipate(s) using about ³ retained expert witnesses, or ☐ do(es) not anticipate retaining expert witnesses.

The defendant(s) anticipate(s) taking about depositions of fact witnesses. That number does not include any of the depositions the plaintiff(s) anticipate(s).

The defendant(s) (check one) ☐ anticipate(s) using about retained expert witnesses, or ☐ do(es) not anticipate retaining expert witnesses.

The parties anticipate that fact discovery (which includes treating physician depositions) will take about ⁷ months.

7. Consent to the Magistrate Judge

(Must check one)

- ☐ All parties have appeared and will file a written consent to proceed before the Magistrate Judge for all purposes.
- ☒ Not all parties will consent to proceed before the Magistrate Judge.

PLAINTIFF(S)

Jack D. McCullough

DEFENDANT(S)

Please see addendum

By:

Please see addendum

By:

Please see addendum

Rev. 2/6/2017